

REMARKS

The comments of the applicant below are each preceded by related comments of the examiner (in small, bold type).

5. Claim 35 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claim 35, it is understood that "the method does not assume that the bill is good to be dispensed" as further explained in Applicant's remarks. If so, "determining the presence or absence of a flaw" is not performed on the subsequent bills after the first one? And are the bills are routed to the dispensing path? If determining step is done on every bill, and routing is changed based on the determination process, how is the method recited in claim 35 any different than a conventional bill processing/detecting method wherein a bill identified as a "double" or "not acceptable" collected in rejected bin and genuine bills being dispersed or collected? Only difference that Examiner observes is the use of word "default."

In view of the above, it is unclear what is being claimed in claim 35. Applicant is respectfully suggested to at least 1) direct the Examiner to the specification where the method of claim 35 is further described 2) amend the claim so that the method being claimed is clarified.

6. Claims 36-38 are rejected under 35 U.S.C. 112, second paragraph, as being dependent on rejected base claim.

8. Claims 35-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Butcheck (US 4,154,437, hereinafter "Butcheck").

Re claims 35-37, Butcheck discloses an apparatus and methods for currency dispenser (see abstract; col. 2, lines 23+) wherein bill thickness of each bill is gauged continuously while moving through travel path (see abstract). Thicker bills (or bills allegedly identified as a double bill) are rejected by doubles detector mechanism which discharges "double bill" (col. 2, lines 5- 8) and are collected in a reject container (col. 3, line 19).

The applicant does not concede or acquiesce in the examiner's position and reserves the right to pursue claims 35 through 37 (and other claims) in other prosecutions. Claims 35 through 37 have been amended.

9. Claim 25 is allowed.

10. The following is a statement of reasons for the indication of allowable subject matter: the claims are directed at a currency dispenser. The currency dispenser comprising all the component structures as described in claim 25 is neither disclosed nor suggested by the cited references.

The applicant acknowledges that claim 25 is patentable and does not concede that there are not other good reasons for the patentability of claim 25.

All of the dependent claims are patentable for at least similar reasons as those for the claims on which they depend are patentable.

Canceled claims, if any, have been canceled without prejudice or disclaimer.

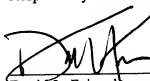
Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

Please apply any other charges or credits to deposit account 06-1050, reference 13543-003001.

Respectfully submitted,

Date: _____

5/4/2



David L. Feigenbaum
Reg. No. 30,378

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906